

MINUTES

CRIMINAL & JUVENILE JUSTICE INFORMATION ADVISORY GROUP MEETING MINUTES

November 9, 2018
9:00 AM -11:00 AM
Room W277, MN Bureau of Criminal Apprehension

Attendees

Advisory Group Members:	Organization
Beaumaster, G. Paul	Minnesota County Attorneys Association
Bodie, Marv	Association of Minnesota Counties
Buker, Dean	Minnesota Judicial Branch – ITD
Davis Carter, Lolita	Public Member
Fawcett, Terry	Association of Minnesota Counties
Galili, Oded	Bureau of Criminal Apprehension
Holmgren, Steve	Board of Public Defense
Khan, Safia	Minnesota Coalition for Battered Women
MacMillan, Tim	Minnesota Association of County Probation Officers
McCormick, Jeff	MN Chiefs Association
Miller, David	Attorney General's Office
Pedretti, Kay	Minnesota Supreme Court
Pieper, Andrew	4 th Judicial District
Reitz, Nate	MN Sentencing Guidelines Commission
Revering, Stephanie	MN Chiefs Association
Schmidt, Amy	League of Minnesota Cities
Smith, Rick	Minnesota Association of County Probation Officers
Tweten, Shawn	Public Member
Gotz, Dana	BCA
Morris, Andrea	BCA
Kalstabakken, Gary	BCA
Oliveira, Jill	BCA
Olson, Jerry	BCA
Pizza, Matthew	BCA
Sanchez, Angie	BCA
Schwiesow, Jeff	BCA
Anderson, Lisa	MMB-MAD

Welcome and Introductory Items

Advisory Group Chair Amy Schmidt called the meeting to order. Roundtable introductions were made. Dana Gotz mentioned that this was Kay Pedretti and Andrew Pieper's first meeting and welcomed them. A motion was made and seconded to approve the May 11, 2018 Advisory Group meeting minutes. A vote was taken. **The motion carried.** A motion was made and seconded to approve the agenda. A vote was taken. **The motion carried.**

Civil Commitment Feasibility Study

Andi Morris (BCA) reported on the Civil Commitment Feasibility Study. The purpose of this study was to provide a vehicle for detailing the feasibility of creating a data pass of civil commitment information from the MN Court information system (MNCIS) to law enforcement through BCA's Law Enforcement Message Switch (LEMS).

The Criminal Juvenile Justice Information Advisory Group made the recommendation to conduct a study to determine the feasibility of creating a data pass of publicly accessible civil commitment data from MNCIS to law enforcement through the BCA's Law Enforcement Message Switch (LEMS). The BCA applied for a grant through the Court Technology Fund, which was granted. This study is a joint effort between the Courts and BCA.

Following this recommendation, the Hennepin County Sheriff's Office (HCSO) also completed a feasibility study on Mental Health Integration in January 2017. The study noted Query Person Gun Check (QPGC) can search the Department of Human Services (DHS) civil commitment information but it may be helpful if this information were made available to law enforcement for other purposes. The study identified some gaps in the current process:

- Law enforcement and the jail are unaware of mental health commits, provisional discharge conditions, or revocation because MNCIS does not provide that information.
- Mental health case details are not included in bail evaluation reports.
- Not having a unique party record between criminal and mental health court adds to the complexity for data sharing between the two courts.
- When identified, mental health cases are added to jail booking without the MNCIS case number which make integrations between the two systems difficult.

As part of the study, six focus groups were conducted with law enforcement throughout the state. Focus groups included a total of 60 law enforcement professionals, including police chiefs, sheriffs, SWAT members, dispatch personnel, and mental health officers from some agencies. The high-level feedback from those focus group follows:

- Participants were overwhelmingly in favor of having civil commitment information at their fingertips.
- Many agencies were unaware of the existence of Minnesota Government Access (MGA), and patrol officers did not generally have MGA access although they may find the information most valuable.

- Participants felt that an indicator on a person record alerting them to the existence of a history of civil commitment actions would be good at minimum. The presence of the indicator would let law enforcement know to look elsewhere (such as Odyssey or MGA) for detailed civil commitment information.
- They would like the indicator to include the type of commitment.
- Many participants would like the indicator to note whether the commitment is active or inactive, especially in the case of an Apprehend and Detain order or a transport order (note: this is not currently stored in MNCIS).
- Ideally, law enforcement personnel would like the ability to click on the indicator to pull up the most recent document, or to link directly to Odyssey or MGA.
- Though there were some noted risks related to releasing this information to law enforcement, it was felt that the benefits would far outweigh the risks.

Andi concluded the presentation stating that the overwhelming consensus was that law enforcement personnel across Minnesota having access to this data would be very useful.

A motion was made that the Advisory Group is in support of including public civil commitment data as part of data shared with law enforcement and criminal justice partners. **The motion was seconded.** The motion passed with one no vote and one abstention.

Data & Identification Standards update

The Data & Identification Standards Subcommittee reported back to the Advisory Group on two public hearings held to gauge the public's appetite for improving identification standards by taking photos of persons who receive traffic violations or petty misdemeanors. The goal is to prevent subjects from committing identity theft or intentionally providing false information about their identity and the potential for criminal records mismatch that can result. In May 2017, Oded Galili presented to CJI Advisory Group a proposal to use photo identification to reduce the probability of misidentification of offenders. The Advisory Group created a subcommittee to vet the recommendation.

The subcommittee made the following observations from stakeholder meetings:

- Stakeholders have differing views about which method (photos or Rapid ID) would be perceived as most invasive.
- There is conflicting and sometimes inaccurate information regarding how law enforcement currently collects and uses data.
- Distrust for law enforcement-led initiatives will hinder any effort to reduce misidentification.
- Stakeholders view public engagement as the most (and, in some cases, the only) viable method to vetting identification standards.

Recommendation: the subcommittee has resolved that the current atmosphere is not conducive to the successful implementation of a way to reduce the misidentification. **The subcommittee recommends tabling the issue of the identification and revisiting it in two or three years.**

There was discussion among members about the subcommittee's work, findings and recommendation. There was general consensus that the Advisory Group should not table the issue for two to three years but should continue to engage on this issue and figure out next steps.

A motion was made to appoint a new chair to continue on with the work of the subcommittee. The motion was seconded. Members requested that the biennial report to the legislature, governor and Supreme Court note this issue and the work of the Advisory Group. The **motion passed**.

Collaborative Relationship & Funding Subcommittee Update

Amy Schmidt gave a Collaborative Relationship & Funding Subcommittee Update. The subcommittee is looking for a new Chair and have not met since the November Advisory Group meeting.

There is the funding proposal for Justice Partners which are requesting automatic integration between the courts Integration Services and their individual case and content management systems. Justice Partners seek the ability to obtain a detailed listing of all documents filed within a particular case, and the ability to select multiple documents to be received from the courts. The courts Integration Services would then send the selected documents electronically to the justice partner, assuming that the justice partner has been authorized by the court to receive the type of document (s) requested. All documents sent would be tagged with Court file # metadata. Additionally, the justice partners are also seeking integration with the courts to be notified electronically via their case and content management systems of any newly filed documents, for cases in which they are listed as the attorney of record, or party to the case, rather than being provided individual emails notifying them of new documents to download via EFS.

Data Practices Subcommittee Update

The Chair of the subcommittee, Laurie Beyer-Kropuenske, was not at the meeting; however Dana reported that Laurie is presenting a Data Practices overview to the House legislative committee the first week of December and was going to raise the issue of the University of MN survey and results to see if the committee would have an interest in getting more information.

February Agenda and any other business

- Data and Identification Standards subcommittee chair will be discussed.
- Safia would like to present on issues around victim confidentiality.

Deb Kerschner is retiring January 8, 2019. Oded Galili is retiring December 3, 2018. Dana thanked Deb and Oded for their years of service on the Task Force and Advisory Group and all their contributions.

Next Meeting:

Friday, February 15, 2019
9:00 a.m. – 11:00 a.m.
Minnesota BCA, Room W249

The meeting adjourned.